

Thiago M. Coelho, SBN 324715  
[thiago@wilshirelawfirm.com](mailto:thiago@wilshirelawfirm.com)  
Binyamin I. Manoucheri, SBN 336468  
[binyamin@wilshirelawfirm.com](mailto:binyamin@wilshirelawfirm.com)

**WILSHIRE LAW FIRM**  
3055 Wilshire Blvd., 12<sup>th</sup> Floor  
Los Angeles, California 90010  
Telephone: (213) 381-9988  
Facsimile: (213) 381-9989

*Attorneys for Plaintiff, Crystal Redick*

**UNITED STATES DISTRICT COURT**

**FOR THE CENTRAL DISTRICT OF CALIFORNIA**

CRYSTAL REDICK, an individual,  
Plaintiff,

v.

HOLLYWOOD CITIZEN NEWS  
F&B LLC d/b/a MOTHER WOLF, a  
Delaware limited liability company;  
and DOES 1 to 10, inclusive,  
Defendants.

CASE No.:

**COMPLAINT**

1. VIOLATIONS OF THE  
AMERICANS WITH  
DISABILITIES ACT OF 1990, 42  
U.S.C. § 12181
2. VIOLATIONS OF THE UNRUH  
CIVIL RIGHTS ACT,  
CALIFORNIA CIVIL CODE § 51  
**DEMAND FOR JURY TRIAL**

Plaintiff Crystal Redick (hereafter “Plaintiff”) brings this action based upon personal knowledge as to herself and her own acts, and as to all other matters upon information and belief, based upon, *inter alia*, the investigations of her attorneys.

**NATURE OF THE ACTION**

1. Plaintiff is a visually impaired and legally blind individual who requires screen-reading software to read website content using her computer. Plaintiff uses the terms “blind” or “visually-impaired” to refer to all people with visual impairments who meet the legal definition of blindness in that they have a

1 visual acuity with correction of less than or equal to 20 x 200. Some blind people  
2 who meet this definition have limited vision. Others have no vision.

3 2. Plaintiff brings this Complaint to secure redress against Hollywood  
4 Citizen News F&B LLC d/b/a Mother Wolf (hereafter “Defendant”), and DOES 1-  
5 10, for its failure to design, construct, maintain, and operate its website to be fully  
6 and equally accessible to and independently usable by Plaintiff and other blind or  
7 visually-impaired individuals. Defendant’s denial of full and equal access to its  
8 website, and therefore denial of its products and services offered thereby and in  
9 conjunction with its physical location, is a violation of Plaintiff’s rights under the  
10 Americans with Disabilities Act (“ADA”) and California’s Unruh Civil Rights Act  
11 (“UCRA”).

12 3. Because Defendant’s website, <https://www.motherwolfla.com/> (the  
13 “website” or “Defendant’s website”), is not fully or equally accessible to blind and  
14 visually impaired consumers in violation of the ADA, Plaintiff seeks a permanent  
15 injunction to cause a change in Defendant’s corporate policies, practices, and  
16 procedures so that Defendant’s website will become and remain accessible to  
17 Plaintiff and other blind and visually impaired consumers.

## 18 THE PARTIES

19 4. Plaintiff, at all times relevant and as alleged herein, is a resident of the  
20 County of Los Angeles. Plaintiff is a legally blind, visually impaired, handicapped  
21 person, and a member of a protected class of individuals under the ADA, pursuant  
22 to 42 U.S.C. § 12102(1)-(2), and the regulations implementing the ADA set forth  
23 at 28 CFR §§ 36.101 *et seq.*

24 5. Defendant is a Delaware limited liability company with its  
25 headquarters Los Angeles, California. Defendant’s servers for the website are in  
26 the United States. Defendant conducts a large amount of its business in California.  
27 The physical location where Defendant’s goods and services are sold to the public  
28 constitutes a place of public accommodation. Defendant’s restaurant provides to

1 the public important goods and services. Defendant's website provides consumers  
2 access to Chef Evan Funke's Roman inspired menu that "echoes themes of  
3 shepherds, popes, farmers and artisans through wafter-thin wood fired pizzas,  
4 hyper-seasonal antipasti and the traditional handmade pastas for which Funke is  
5 renowned." Consumers can access information regarding Defendant's menu and  
6 reservations. Consumers can also access information regarding Defendant's  
7 location, contact information, restaurant hours, newsletter and upcoming events,  
8 gift cards, private events, and Defendant's social media webpages.

9 6. Plaintiff is unaware of the true names, identities, and capacities of each  
10 Defendant sued herein as DOES 1 to 10. Plaintiff will seek leave to amend this  
11 complaint to allege the true names and capacities of DOES 1 to 10 if and when  
12 ascertained. Plaintiff is informed and believes, and thereupon alleges, that each  
13 Defendant sued herein as a DOE is legally responsible in some manner for the  
14 events and happenings alleged herein and that each Defendant sued herein as a DOE  
15 proximately caused injuries and damages to Plaintiff as set forth below.

16 7. Defendant's restaurant is a public accommodation within the  
17 definition of Title III of the ADA, 42 U.S.C. § 12181(7).

18 8. The website, <https://www.motherwolfla.com/>, is a service, privilege,  
19 or advantage of Defendant's services, products, and location.

## 20 JURISDICTION AND VENUE

21 9. Defendant is subject to personal jurisdiction in this District. Defendant  
22 has been and continues to commit the acts or omissions alleged herein in the Central  
23 District of California, that caused injury, and violated rights prescribed by the ADA  
24 and UCRA, to Plaintiff. A substantial part of the acts and omissions giving rise to  
25 Plaintiff's claims occurred in the Central District of California. Specifically, on  
26 several separate occasions, Plaintiff has been denied the full use and enjoyment of  
27 the facilities, goods, and services of Defendant's website in Los Angeles County.  
28 The access barriers Plaintiff has encountered on Defendant's website have caused

1 a denial of Plaintiff's full and equal access multiple times in the past and now deter  
 2 Plaintiff on a regular basis from accessing Defendant's website. Similarly, the  
 3 access barriers Plaintiff has encountered on Defendant's website have impeded  
 4 Plaintiff's full and equal enjoyment of goods and services offered at Defendant's  
 5 brick-and-mortar location.

6 10. This Court also has subject-matter jurisdiction over this action  
 7 pursuant to 28 U.S.C. § 1331 and 42 U.S.C. § 12181, as Plaintiff's claims arise  
 8 under Title III of the ADA, 42 U.S.C. § 12181, *et seq.*, and 28 U.S.C. § 1367.

9 11. This Court has personal jurisdiction over Defendant because it  
 10 conducts and continues to conduct a substantial and significant amount of business  
 11 in the State of California, County of Los Angeles, and because Defendant's  
 12 offending website is available across California.

13 12. Venue is proper in the Central District of California pursuant to 28  
 14 U.S.C. § 1391 because Plaintiff resides in this District, Defendant conducts and  
 15 continues to conduct a substantial and significant amount of business in this District,  
 16 Defendant is subject to personal jurisdiction in this District, and a substantial  
 17 portion of the conduct complained of herein occurred in this District.

### 18 **THE AMERICANS WITH DISABILITIES ACT AND THE INTERNET**

19 13. The Internet has become a significant source of information, a portal,  
 20 and a tool for conducting business, doing everyday activities such as shopping,  
 21 learning, banking, researching, as well as many other activities for sighted, blind,  
 22 and visually impaired persons alike.

23 14. In today's tech-savvy world, blind and visually impaired people have  
 24 the ability to access websites using keyboards in conjunction with screen access  
 25 software that vocalizes the visual information found on a computer screen. This  
 26 technology is known as screen-reading software. Screen-reading software is  
 27 currently the only method a blind or visually impaired person may use to  
 28 independently access the internet. Unless websites are designed to be read by

1 screen-reading software, blind and visually impaired persons are unable to fully  
2 access websites, and the information, products, and services contained thereon.

3 15. Blind and visually impaired users of Windows operating system-  
4 enabled computers and devices have several screen-reading software programs  
5 available to them. Some of these programs are available for purchase and other  
6 programs are available without the user having to purchase the program separately.  
7 Job Access With Speech, otherwise known as "JAWS," is currently the most  
8 popular, separately purchased and downloaded screen-reading software program  
9 available for a Windows computer.

10 16. For screen-reading software to function, the information on a website  
11 must be capable of being rendered into text. If the website content is not capable  
12 of being rendered into text, the blind or visually impaired user is unable to access  
13 the same content available to sighted users.

14 17. The international website standards organization, the World Wide  
15 Web Consortium, known throughout the world as W3C, has published Success  
16 Criteria for version 2.1 of the Web Content Accessibility Guidelines ("WCAG 2.1"  
17 hereinafter). WCAG 2.1 are well-established guidelines for making websites  
18 accessible to blind and visually impaired people. These guidelines are adopted,  
19 implemented, and followed by most large business entities who want to ensure their  
20 websites are accessible to users of screen-reading software programs. Though  
21 WCAG 2.1 has not been formally adopted as the standard for making websites  
22 accessible, it is one of, if not the most, valuable resource for companies to operate,  
23 maintain, and provide a website that is accessible under the ADA to the public.

24 18. Within this context, the Ninth Circuit has recognized the viability of  
25 ADA claims against commercial website owners/operators with regard to the  
26 accessibility of such websites. *Robles v. Domino's Pizza, LLC*, 913 F.3d 898, 905-  
27 06 (9th Cir. 2019), *cert. denied*, 140 S.Ct. 122, 206 L. Ed. 2d 41 (2019). This is in  
28 addition to the numerous courts that have already recognized such application.

1           19. Each of Defendant's violations of the Americans with Disabilities Act  
2 is likewise a violation of the Unruh Civil Rights Act. Indeed, the Unruh Civil Rights  
3 Act provides that any violation of the ADA constitutes a violation of the Unruh  
4 Civil Rights Act. Cal. Civ. Code § 51(f).

5           20. Further, Defendant's actions and inactions denied Plaintiff full and  
6 equal access to their accommodations, facilities, and services. A substantial  
7 motivating reason for Defendant to deny Plaintiff access was the perception of  
8 Plaintiff's disability. Defendant's denial of Plaintiff's accessibility was a  
9 substantial motivating reason for Defendant's conduct. Plaintiff was harmed due  
10 to Defendant's conduct. Defendant's actions and inactions were a substantial factor  
11 in causing the lack of access to Plaintiff. Unruh Civil Rights Act, Cal. Civ. Code §  
12 51.

13           21. Inaccessible or otherwise non-compliant websites pose significant  
14 access barriers to blind and visually impaired persons. Common barriers  
15 encountered by blind and visually impaired persons include, but are not limited to,  
16 the following:

- 17           a. A text equivalent for every non-text element is not provided;
- 18           b. Title frames with text are not provided for identification and  
19           navigation;
- 20           c. Equivalent text is not provided when using scripts;
- 21           d. Forms with the same information and functionality as for sighted  
22           persons are not provided;
- 23           e. Information about the meaning and structure of content is not  
24           conveyed by more than the visual presentation of content;
- 25           f. Text cannot be resized without assistive technology up to 200  
26           percent without loss of content or functionality;
- 27           g. If the content enforces a time limit, the user is not able to extend,  
28           adjust or disable it;

- h. Web pages do not have titles that describe the topic or purpose;
- i. The purpose of each link cannot be determined from the link text alone or from the link text and its programmatically determined link context;
- j. One or more keyboard operable user interface lacks a mode of operation where the keyboard focus indicator is discernible;
- k. The default human language of each web page cannot be programmatically determined;
- l. When a component receives focus, it may initiate a change in context;
- m. Changing the setting of a user interface component may automatically cause a change of context where the user has not been advised before using the component;
- n. Labels or instructions are not provided when content requires user input;
- o. In content which is implemented by using markup languages, elements do not have complete start and end tags, elements are not nested according to their specifications, elements may contain duplicate attributes and/or any IDs are not unique;
- p. Inaccessible Portable Document Format (PDFs); and
- q. The name and role of all User Interface elements cannot be programmatically determined; items that can be set by the user cannot be programmatically set; and/or notification of changes to these items is not available to user agents, including assistive technology.

## FACTUAL BACKGROUND

22. Defendant offers the <https://www.motherwolfla.com/> website to the public. The website offers features which should allow all consumers to access the



1 goods and services which Defendant offers in connection with its physical location.  
 2 The goods and services offered by Defendant include, but are not limited to, the  
 3 following: Defendant's cocktails such as fondatore spritz, negroni della casa,  
 4 pompelmo e pepe, quello contorto, and aspettare; and Defendant's food menu items  
 5 which include margherita pizza, calabrese, bufala e crudo, napoletana, branzino alla  
 6 brace, spaghetti all'arrabbiata, and rigatoncini alla vaccinara. Furthermore,  
 7 Defendant's website allows consumers to access information regarding  
 8 reservations, Defendant's location, contact details, restaurant hours, newsletter and  
 9 upcoming events, gift cards, private events, and Defendant's social media  
 10 webpages.

11 23. Based on information and belief, it is Defendant's policy and practice  
 12 to deny Plaintiff, along with other blind or visually impaired users, access to  
 13 Defendant's website, and to therefore specifically deny the goods and services that  
 14 are offered and integrated within Defendant's restaurant. Due to Defendant's  
 15 failure and refusal to remove access barriers on its website, Plaintiff and other  
 16 visually impaired persons have been and are still being denied equal and full access  
 17 to Defendant's restaurant and the numerous goods, services, and benefits offered to  
 18 the public through Defendant's website.

19 **DEFENDANT'S BARRIERS ON UNRUH CIVIL RIGHTS ACT, CAL. CIV.**  
 20 **CODE § 51(f) DENY PLAINTIFF ACCESS**

21 24. Plaintiff is a visually impaired and legally blind person, who cannot  
 22 use a computer without the assistance of screen-reading software. However,  
 23 Plaintiff is a proficient user of the JAWS or NV ACCESS screen-reader(s) as well  
 24 as Mac's VoiceOver and uses it to access the internet. Plaintiff has visited  
 25 <https://www.motherwolfla.com/> on several separate occasions using the JAWS  
 26 and/or VoiceOver screen-readers.

27 25. During Plaintiff's numerous visits to Defendant's website, Plaintiff  
 28 encountered multiple access barriers which denied Plaintiff full and equal access to



1 the facilities, goods, and services offered to the public and made available to the  
2 public on Defendant's website. Due to the widespread access barriers Plaintiff  
3 encountered on Defendant's website, Plaintiff has been deterred, on a regular basis,  
4 from accessing Defendant's website.

5 26. While attempting to navigate Defendant's website, Plaintiff  
6 encountered multiple accessibility barriers for blind or visually impaired people that  
7 include, but are not limited to, the following:

- 8 a. Lack of Alternative Text ("alt-text"), or a text equivalent. Alt-text  
9 is invisible code embedded beneath a graphic or image on a website  
10 that is read to a user by a screen-reader. For graphics or images to  
11 be fully accessible for screen-reader users, it requires that alt-text  
12 be coded with each graphic or image so that screen-reading  
13 software can speak the alt-text to describe the graphic or image  
14 where a sighted user would just see the graphic or image. Alt-text  
15 does not change the visual presentation, but instead a text box  
16 shows when the cursor hovers over the graphic or image. The lack  
17 of alt-text on graphics and images prevents screen-readers from  
18 accurately vocalizing a description of the image or graphic.
- 19 b. Empty Links that contain No Text causing the function or purpose  
20 of the link to not be presented to the user. This can introduce  
21 confusion for keyboard and screen-reader users;
- 22 c. Redundant Links where adjacent links go to the same URL address  
23 which results in additional navigation and repetition for keyboard  
24 and screen-reader users; and
- 25 d. Linked Images missing alt-text, which causes problems if an image  
26 within a link does not contain any descriptive text and that image  
27 does not have alt-text. A screen reader then has no content to  
28 present the user as to the function of the link, including information

or links for and contained in PDFs.

27. Recently in 2022, Plaintiff attempted to do business with Defendant on Defendant's website and Plaintiff encountered barriers to access on Defendant's website. Plaintiff has visited prior iterations of the website, <https://www.motherwolfla.com/>, and also encountered barriers to access on Defendant's website.

28. Despite past and recent attempts to do business with Defendant on its website, the numerous access barriers contained on the website and encountered by Plaintiff, have denied Plaintiff full and equal access to Defendant's website. Plaintiff, as a result of the barriers on Defendant's website, continues to be deterred from accessing Defendant's website. Likewise, based on the numerous access barriers Plaintiff has been deterred and impeded from the full and equal enjoyment of goods and services offered in Defendant's restaurant.

**DEFENDANT'S WEBSITE HAS A SUFFICIENT NEXUS TO  
DEFENDANT'S RESTAURANT LOCATION TO SUBJECT THE  
WEBSITE TO THE REQUIREMENTS OF THE AMERICANS WITH  
DISABILITIES ACT**

29. In the Ninth Circuit a denial of equal access to a website can support an ADA claim if the denial has prevented or impeded a visually impaired plaintiff from equal access to, or enjoyment of, the goods and services offered at the defendant's physical facilities. *See Martinez v. San Diego County Credit Union*, 50 Cal. App. 5th, 1048, 1063 (2020) (citing *Robles v. Domino's Pizza, LLC*, 913 F.3d 898, 905-06 (9th Cir. 2019)).

30. Defendant's website is subject to the ADA because the goods and services offered on the website are an extension of the goods and services offered in Defendant's brick-and-mortar restaurant. For example, the goods and the services which can be procured online are available for purchase in Defendant's brick-and-mortar restaurant. Thus, since the website "facilitate[s] access to the

1 goods and services of a place of public accommodation”, the website falls within  
2 the protection of the ADA because the website “connects customers to the goods  
3 and services of [Defendant’s] physical” restaurant. *Robles*, 913 F.3d at 905.

4 31. Defendant’s website is replete with barriers, including but not limited  
5 to, headings that were not in sequential order as a result of Defendant’s failure to  
6 code its website so that Plaintiff’s screen-reader can navigate the webpage, which  
7 impede Plaintiff from accessing the goods and services of Defendant’s brick-and-  
8 mortar restaurant. For example, when Plaintiff attempted to access the website to  
9 familiarize herself with Defendant’s menu, Plaintiff’s screen-reader was not able to  
10 properly read headings. Accordingly, Plaintiff could not use her screen reader to  
11 obtain information regarding Defendant’s menu because of the website’s access  
12 barriers—denying her the ability to familiarize herself with the menu. If Defendant  
13 had sufficiently coded the images on its website to be readable by Plaintiff’s screen-  
14 reader, Plaintiff would have been able to interact with these elements and have  
15 accessed items on Defendant’s menu.

16 32. Accordingly, Plaintiff was denied the ability to browse Defendant’s  
17 website, garner information about Defendant’s menu, and consummate a purchase  
18 whether for reservations, gift cards, or private events because Defendant failed to  
19 have the proper procedures in place to ensure that content uploaded to the Website  
20 contains the proper coding to convey the meaning and structure of the website and  
21 the goods and services provided by Defendant.

22 **DEFENDANT MUST REMOVE BARRIERS TO ITS WEBSITE**

23 33. Due to the inaccessibility of the Defendant’s website, blind and  
24 visually impaired customers such as Plaintiff, who need screen-readers, cannot fully  
25 and equally use or enjoy the facilities and services Defendant offers to the public  
26 on its website. The access barriers Plaintiff has encountered have caused a denial  
27 of Plaintiff’s full and equal access in the past and now deter Plaintiff on a regular  
28 basis from accessing the website.

1           34. These access barriers on Defendant's website have deterred Plaintiff  
2 from enjoying the goods and services of Defendant's brick-and-mortar restaurant  
3 which are offered through Defendant's website in a full and equal manner to sighted  
4 individuals. Plaintiff and Class Members intend to visit the Defendant's website in  
5 the near future if Plaintiff and Class Members could access Defendant's website as  
6 a sighted person can.

7           35. If the website were equally accessible to all, Plaintiff could  
8 independently navigate the website and complete a desired transaction, as sighted  
9 individuals do.

10          36. Plaintiff, through Plaintiff's attempts to use the website, has actual  
11 knowledge of the access barriers that make these services inaccessible and  
12 independently unusable by blind and visually impaired people.

13          37. Because simple compliance with WCAG 2.1 would provide Plaintiff  
14 with equal access to the website, Plaintiff alleges that Defendant engaged in acts of  
15 intentional discrimination, including, but not limited to, the following policies or  
16 practices: constructing and maintaining a website that is inaccessible to visually-  
17 impaired individuals, including Plaintiff; failing to construct and maintain a website  
18 that is sufficiently intuitive so as to be equally accessible to visually-impaired  
19 individuals, including Plaintiff; and failing to take actions to correct these access  
20 barriers in the face of substantial harm and discrimination to blind and visually-  
21 impaired consumers, such as Plaintiff, as a member of a protected class.

22          38. The Defendant uses standards, criteria or methods of administration  
23 that have the effect of discriminating or perpetuating the discrimination against  
24 others, as alleged herein.

25          39. The ADA expressly contemplates the injunctive relief that Plaintiff  
26 seeks in this action. In relevant part, the ADA requires:

27               In the case of violations of ... this title, injunctive relief shall include  
28               an order to alter facilities to make such facilities readily accessible to

1 and usable by individuals with disabilities .... Where appropriate,  
2 injunctive relief shall also include requiring the ... modification of a  
3 policy .... 42 U.S.C. § 12188(a)(2).

4 40. Because Defendant's website has never been equally accessible, and  
5 because Defendant lacks a corporate policy that is reasonably calculated to cause  
6 the Defendant's website to become and remain accessible, Plaintiff invokes 42  
7 U.S.C. § 12188(a)(2) and seeks a permanent injunction requiring the Defendant to  
8 retain a qualified consultant acceptable to Plaintiff to assist Defendant to comply  
9 with WCAG 2.1 guidelines for Defendant's website. The website must be  
10 accessible for individuals with disabilities who use desktop computers, laptops,  
11 tablets, and smartphones. Plaintiff seeks that this permanent injunction require  
12 Defendant to cooperate with the agreed-upon consultant to: train Defendant's  
13 employees and agents who develop the website on accessibility compliance under  
14 the WCAG 2.1 guidelines; regularly check the accessibility of the website under  
15 the WCAG 2.1 guidelines; regularly test user accessibility by blind or vision-  
16 impaired persons to ensure that the Defendant's website complies under the WCAG  
17 2.1 guidelines; and develop an accessibility policy that is clearly disclosed on the  
18 Defendant's website, with contact information for users to report accessibility-  
19 related problems and require that any third-party vendors who participate on the  
20 Defendant's website to be fully accessible to the disabled by conforming with  
21 WCAG 2.1.

22 41. If Defendant's website were accessible, Plaintiff could independently  
23 access information about the services offered and goods available for online  
24 purchase.

25 42. Although Defendant may currently have centralized policies regarding  
26 maintaining and operating Defendant's website, Defendant lacks a plan and policy  
27 reasonably calculated to make Defendant's website fully and equally accessible to,  
28 and independently usable by, blind and other visually impaired consumers.



1 individuals because of the absence of auxiliary aids and services, unless the entity  
2 can demonstrate that taking such steps would fundamentally alter the nature of the  
3 good, service, facility, privilege, advantage, or accommodation being offered or  
4 would result in an undue burden.” 42 U.S.C. § 12182(b)(2)(A)(ii)-(iii). “A public  
5 accommodation shall take those steps that may be necessary to ensure that no  
6 individual with a disability is excluded, denied services, segregated or otherwise  
7 treated differently than other individuals because of the absence of auxiliary aids  
8 and services, unless the public accommodation can demonstrate that taking those  
9 steps would fundamentally alter the nature of the goods, services, facilities,  
10 privileges, advantages, or accommodations being offered or would result in an  
11 undue burden, i.e., significant difficulty or expense.” 28 C.F.R. § 36.303(a). In  
12 order to be effective, auxiliary aids and services must be provided in accessible  
13 formats, in a timely manner, and in such a way as to protect the privacy and  
14 independence of the individual with a disability.” 28 C.F.R. § 36.303(c)(1)(ii).

15 48. Defendant’s location is a “public accommodation” within the meaning  
16 of 42 U.S.C. § 12181 *et seq.* Defendant generates millions of dollars in revenue  
17 from the sale of its amenities and services, privileges, advantages, and  
18 accommodations in California through its location, related services, privileges,  
19 advantages, and accommodations, and its website, <https://www.motherwolfla.com/>,  
20 is a service, privilege, advantage, and accommodation provided by Defendant that  
21 is inaccessible to customers who are visually impaired like Plaintiff. This  
22 inaccessibility denies visually impaired customers full and equal enjoyment of and  
23 access to the facilities and services, privileges, advantages, and accommodations  
24 that Defendant makes available to the non-disabled public. Defendant is violating  
25 the Americans with Disabilities Act, 42 U.S.C. § 12181 *et seq.*, in that Defendant  
26 denies visually impaired customers the services, privileges, advantages, and  
27 accommodations provided by <https://www.motherwolfla.com/>. These violations  
28 are ongoing.



49. Defendant's actions constitute intentional discrimination against Plaintiff on the basis of a disability in violation of the Americans with Disabilities Act, 42 U.S.C. § 12181 *et seq.* in that: Defendant has constructed a website that is inaccessible to Plaintiff; maintains the website in this inaccessible form; and has failed to take adequate actions to correct these barriers even after being notified of the discrimination that such barriers cause.

50. Pursuant to 42 U.S.C. § 12188 and the remedies, procedures, and rights set forth and incorporated therein, Plaintiff requests relief as set forth below.

## **COUNT II**

### **VIOLATIONS OF THE UNRUH CIVIL RIGHTS ACT, CALIFORNIA**

#### **CIVIL CODE § 51 *ET SEQ.***

51. Plaintiff alleges and incorporates herein by reference each and every allegation contained in paragraphs 1 through 50, inclusive, of this Complaint as if set forth fully herein.

52. Defendant's location is a "business establishment" within the meaning of the California Civil Code § 51 *et seq.* Defendant generates millions of dollars in revenue from the sale of its services in California through its location and related services, and <https://www.motherwolfla.com/> is a service provided by Defendant that is inaccessible to customers who are visually impaired like Plaintiff. This inaccessibility denies visually impaired customers full and equal access to Defendant's facilities and services that Defendant makes available to the non-disabled public. Defendant is violating the Unruh Civil Rights Act, California Civil Code § 51 *et seq.*, in that Defendant is denying visually impaired customers the services provided by <https://www.motherwolfla.com/>. These violations are ongoing.

53. Defendant's actions constitute intentional discrimination against Plaintiff on the basis of a disability in violation of the Unruh Civil Rights Act, California Civil Code § 51 *et seq.* in that: Defendant has constructed a website that

1 is inaccessible to Plaintiff; maintains the website in this inaccessible form; and has  
2 failed to take adequate actions to correct these barriers even after being notified of  
3 the discrimination that such barriers cause.

4 54. Defendant is also violating the Unruh Civil Rights Act, California  
5 Civil Code § 51 *et seq.* in that the conduct alleged herein likewise constitutes a  
6 violation of various provisions of the ADA, 42 U.S.C. § 12101 *et seq.* Section 51(f)  
7 of the California Civil Code provides that a violation of the right of any individual  
8 under the ADA shall also constitute a violation of the Unruh Civil Rights Act.

9 55. The actions of Defendant were and are in violation of the Unruh Civil  
10 Rights Act, California Civil Code § 51 *et seq.*, and, therefore, Plaintiff is entitled to  
11 injunctive relief remedying the discrimination.

12 56. Plaintiff is also entitled to statutory minimum damages pursuant to  
13 California Civil Code § 52 for each and every offense.

14 57. Plaintiff is also entitled to reasonable attorneys' fees and costs.

15 58. Plaintiff is also entitled to a preliminary and permanent injunction  
16 enjoining Defendant from violating the Unruh Civil Rights Act, California Civil  
17 Code § 51 *et seq.*, and requiring Defendant to take the steps necessary to make  
18 <https://www.motherwolfla.com/> readily accessible to and usable by visually  
19 impaired individuals.

## 20 PRAYER FOR RELIEF

21 WHEREFORE, Plaintiff respectfully requests that the Court enter judgment  
22 in her favor and against Defendant as follows:

23 A. A preliminary and permanent injunction pursuant to 42 U.S.C. §  
24 12188(a)(1) and (2) and section 52.1 of the California Civil Code  
25 enjoining Defendant from violating the Unruh Civil Rights Act and  
26 ADA and requiring Defendant to take the steps necessary to make  
27 <https://www.motherwolfla.com/> readily accessible to and usable by  
28 visually-impaired individuals;

- 1 B. An award of statutory minimum damages of \$4,000 per offense  
2 pursuant to section 52(a) of the California Civil Code.  
3 C. For attorneys' fees and expenses pursuant to California Civil Code §§  
4 52(a), 52.1(h), and 42 U.S.C. § 12205;  
5 D. For pre-judgment interest to the extent permitted by law;  
6 E. For costs of suit; and  
7 F. For such other and further relief as the Court deems just and proper.

8 **DEMAND FOR JURY TRIAL**

9 Plaintiff, on behalf of herself, hereby demands a jury trial for all claims so  
10 triable.

11  
12 Dated: June 30, 2022

Respectfully Submitted,

13 /s/ Thiago M. Coelho

14 Thiago M. Coelho

15 Binyamin I. Manoucheri

16 **WILSHIRE LAW FIRM**

17 *Attorneys for Plaintiff, Crystal*  
18 *Redick*  
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